

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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December 7, 2004

FROM: MICHAEL E. HAYS, Director
Land Use Services Department/Advance Planning Division

**SUBJECT: SCHEDULE PUBLIC HEARING TO CONSIDER THE THIRD CYCLE 2004
GENERAL PLAN AMENDMENTS AND RELATED ACTIONS**

RECOMMENDATION:

- 1) **SCHEDULE** a public hearing on December 21, 2004 to:
 - A) **CONSIDER** the Third Cycle 2004 General Plan Amendments for the following projects:
Jeffrey and Martha Himmerlrick (APN: 0467-142-15); Kamdat Investment, Inc. (APN: 0234-131-09*); Fouad Boulus (APN: 0232-011-21);
 - B) **ADOPT** the Resolution amending the County General Plan included in the Third Cycle 2004 General Plan Amendments;
 - C) **READ** title only of proposed Ordinance amending the County General Plan;
 - D) **WAIVE** reading of the entire text and adopt;
 - E) **APPROVE** the related projects subject to conditions of approval;
 - F) **ADOPT** the Findings as recommended by the Planning Commission;
 - G) **ADOPT** the Negative Declarations;
 - H) **FILE** the Notices of Determination; and
- 2) **DIRECT** the Clerk of the Board to publish a legal Notice of Hearing one time in a publication of general circulation at least 10 days prior to hearing date.

BACKGROUND INFORMATION: The Land Use Services Department requests that the Board of Supervisors schedule an item for a public hearing on December 21, 2004. The item will consider the Third Cycle 2004 General Plan Amendments. The labels for the projects included in the Third Cycle are as follows:

- (a) **APN: 0467-142-15**
Applicant: Himmelrick, Jeffrey and Martha
Proposal: A) General Plan Land Use District Amendment from Rural Living (RL) to Rural Commercial (CR) on 2.55 acres;
 B) Conditional Use Permit to establish a 2,032 square foot restaurant on 2.55 acres;
Community: Helendale/1st Supervisorial District
Location: East side of National Trails Highway, approximately 750 feet south of Rinaldi Road.
JCS/Index: 12324CF1/DN149-250N/2004/GPA01/CUP01.

Record of Action of the Board of Supervisors

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- (b) **APN:** **0234-131-09***
Applicant: Kamdat Investment, Inc.
Proposal: A) General Plan Land Use District Amendment from Single Residential-one acre minimum lot size (RS-1) to Single Residential (RS) on 2.24 acres;
 B) Tentative Tract 16738 to create 9 lots on 2.24 acres
Community: Fontana/2nd Supervisorial District
Location: East end of Mallory Drive, approximately 330 feet west of Live Oak Avenue.
JCS/Index: 12224CF1/W147-99/2004/GPA01/TT16738/TT01.
- (c) **APN:** **0232-011-21**
Applicant: Boulus, Fouad
Proposal: A) General Plan Land Use District Amendment from Multiple Residential-7,000 square feet per dwelling unit (7M-RM) to General Commercial (CG) on .91 acres.
 B) Conditional Use Permit for used car dealership/repair/detail business consisting of 1,750 square foot office, repair shop with two service bays, and 6,157 square feet of display area on .91 acres.
Community: Fontana/2nd Supervisorial District
Location: South side of Foothill Blvd., approximately 450 feet west of Beech Avenue.
JCS/index: 12325CF1/W151-81/2004/GPA01/CUP0.

In accordance with Government Code Sections 65090 and 65091 and County Development Code Section 83.010330, public notice of this hearing is to be given once at least 10 days prior to the hearing in at least one newspaper of general circulation in the community of the proposal. For this item, staff recommends publication in the following newspapers: The Sun, The Fontana Herald News, and the Daily Press.

REVIEW AND APPROVAL BY OTHERS: This scheduling request was reviewed and approved by Deputy County Counsel Robin Cochran (387-8957) on November 19, 2004, and by the County Administrative Office, Patricia M. Cole, Administrative Analyst III, (387-5346) on November 23, 2004.

FINANCIAL IMPACT: The costs associated with publishing the Notice of Hearing have been included in the department's FY 2004/05 budget (AAA-CUR).

SUPERVISORIAL DISTRICT(S): 1st and 2nd

PRESENTER: Michael E. Hays, Director, 387-4141.

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